REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicants will now address each of the issues raised in the outstanding Office Action.

Rejections under 35 U.S.C. § 103

Claims 1, 5, 7, 9, 13, 15 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,076,443 ("the Emens patent") in further view of U.S. Patent Application Publication No. 2004/0015397 ("the Barry publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claims 1 and 9, as amended, are not rendered obvious by the Emens patent and the Barry publication since the cited references neither teach, nor make obvious, the combination of (a) accepting information of an ad which includes ad content ***from an ad***

server, (b) using ***at least one of terms, concepts and categories from the content*** of the ad to determine relevant content, ***from a content server***, in addition to content of the ad, ***wherein the determined relevant content is one of (A) a news story, (B) a review, or (C) a user group message,*** and (c) combining a portion of the content of the ad (from the ad server) and a portion of the determined relevant content (from the content server) for presentation to a user together with page content, ***wherein the page content is (A) not directly used to determine the determined relevant content and (B) different than the content of the ad.***

Exemplary embodiments consistent with claim 1 may be employed to improve the performance (for example, in terms of selection or click-through rate) of an advertisement. (See Page 3, line 29 through page 4, line 2 of the present application.) This may be done as follows. ***Given an advertisement, related information may be determined from the advertisement and presented in association with the advertisement***. For example, as stated in the specification of the present application:

> Such additional information may be of interest to the user. ***This fact may be used to improve the performance of online ads***. For example, additional content related to content that is being (or is to be) presented (e.g., shown or otherwise rendered, e.g. in a browser, text editor, printed material, or any other content rendering application or device) may be generated. ***In some environments, the additional content presented can be placed within an advertisement (or***

> ***near an advertisement, or otherwise presented in association with an advertisement). In this case, the additional content should increase the likelihood that the user will look at (or otherwise perceive) the advertising material (or that the advertising material will otherwise get the user's attention), because the advertising area contains additional kinds of relevant information -- not just ads.*** For example, the target content might be an advertisement for a product, and the additional content might be reviews or news stories about the product. [Emphasis added.]

(Page 4, lines 11-23 of the present application) This aspect of the claimed invention is also discussed, with reference to Figure 5, and on page 15, lines 14-28 of the present application.

Thus, in exemplary embodiments consistent with claims 1 and 9, ***the ad information is used as an input***, related information (such as news stories, product reviews, etc.) is determined using the ad information, and ***both the ad and the related information are combined for presentation to a user***. Thus, both the ad and the related ad information are combined and presented to the user with the page content in order to increase the likelihood of a selection of the advertisement by the user.

By contrast, the Emens patent and Barry publication (1) do not use the ad information as input to determine relevant content, from a content server, in addition to content of the ad, ***wherein the page content is not directly used to determine the determined relevant***

content, and (2) do not then combine a portion of content of the ad (from the ad server) and a portion of the determined relevant content (from the content server) for presentation to a user together with page content.

First, the Emens patent states:

> When a user initially submits a query, a normal Internet search 90 is performed. The query is forwarded to the user/session manager subsystem 120 which then forwards it on to search engine 130. The search engine 130 performs an Internet search and produces a search results set. The search results set is then forwarded 97 to the product matching manager 140.
>
> ***The product matching manager 140 takes the search engine results set and attempts to match at least one product to each of the search result items.*** [Emphasis added.]

(Column 6, lines 26-37 of the Emens patent) The Emens patent further provides:

> However, if the user requests a product 95 by selecting the product icon, the user/session manager 120 routes the product request 95 to the product presentation or product listing manager 150.
>
> The product presentation manager 150 then references the products in the Product Database 110. ***Products which match this search result item are then formulated into one list and passed to the request server or results presentation manager 160.*** [Emphasis added.]

(Column 7, lines 27-36 of the Emens patent) As can be appreciated from the forgoing, the "search result item" in the Emens patent is used as input to determine the "product search results" (which the Examiner characterizes as the recited "relevant content in addition to the content of the ad document"). Therefore, the Emens patent directly uses search result item (allegedly teaching the claimed "page content) to determine product search results (allegedly teaching the claimed "relevant content"). This does not teach or make obvious using content of an ad as input to determine relevant content, from a content server, in addition to content of the ad, ***wherein the page content is not directly used to determine the determined relevant content***. The purported teachings of the Barry publication do not compensate for the deficiencies of the Emens patent discussed above. Thus, the Emens patent and the Barry publication neither teach, nor make obvious, using at least one of ***terms, concepts and categories from the content of the ad*** to determine relevant content in addition to content of the ad, ***wherein the page content is not directly used to determine the determined relevant content***.

Second, neither the Emens patent, nor the Barry publication teach, or make obvious, that the determined relevant content is one of (A) a news story, (B) a review, or (C) a user group message. Furthermore, nothing in the Emens patent, or the Barry publication, teaches, nor makes obvious, combining both an ad and the determined relevant content (i.e., a news story, a review, or a user group message), for presentation to the

user with page content. The portion of the Emens patent cited by the Examiner as teaching this feature states:

> FIG. 2 represents the program flow for displaying the flagged search result items, and searching for and retrieving related advertisements. First, the user designates a selection 60. This can be either one of two designations: a) the search result item may be selected for further investigation 62; or, b) ***a graphical user interface or product icon may be selected to acquire information on related advertised products 69***. If the search result item is searched 62, the user's selection of the search result item's hyperlink will lead the user to the desired item's information 65. The search result item's information will then be displayed 67. If, however, the user desires related product information associated with each search result item having been flagged with corresponding related product advertisements, ***the user selects 69 one of the graphical user interfaces (flags) or product icons. This selection initiates a search 70 of an advertisement database. Each product advertisement acquired and assimilated with the designated search result item, is then formatted 75 and displayed 80 to the user. This gives the user the opportunity to review, at her sole discretion, related product advertisements for specifically selected search result items.***
> [Emphasis added.]

(Column 5, lines 44-64 of the Emens patent) The Emens patent further provides:

> For each match found, the product matching manager 140 then flags the

> corresponding search result item. ***This flag is used by the request server 160, also referred to as the results presentation manager, to display a graphical user interface designator, which may simply be a product icon.*** [Emphasis added.]

(Column 6, lines 49-54 of the Emens patent) Thus, the initial "search results page" in the Emens patent includes search results and a designator/flag which indicates that product search results are available ***if selected by the user.***

Meanwhile, the product search results page is described as including:

> The result presentation manager 160 builds a results page which now contains the initial single search result item along with a list of products from which the user may select on demand. This results page is sent 99 to the browser 100 to display the selected search result item with its corresponding products.

(Column 7, lines 37-42) As can be appreciated from the foregoing, the "product search results" page in the Emens patent includes the "initial single search result item along with a list of products from which the user may select on demand." However, nowhere does the Emens patent describe combining an ad and the determined relevant content, for presentation to the user with the page content. The purported teachings of the Barry publication do not compensate for the deficiencies of the Emens patent discussed above. Therefore, the Emens patent and the Barry publication do not teach, or make obvious, combining at least a portion of content of the

ad, and at least a portion of the determined relevant content, for presentation to a user together with page content.

Thus, the applicants respectfully submit that claims 1 and 9, as amended, are not rendered obvious by the Emens patent and the Barry publication for at least the foregoing reasons. Since claims 5 and 13 depend from claims 1 and 9, respectively, these claims similarly are not rendered obvious by the Emens patent and the Barry publication.

Independent claims 7 and 15 are not rendered obvious by the Emens patent and the Barry publication since the cited references neither teach, nor make obvious, (a) accepting document content information, (b) using at least one of terms, concepts and categories of the document content information to determine relevant content in addition to content of the document, wherein the determined relevant content is one of A) a news story, (B) a review, (C) a search query, or (D) a user group message, (c) using the determined relevant content, determining further content, wherein the further determined content is at least one ad, received from an ad server, relevant to the determined relevant content, and (d) combining at least a portion of content of the document, at least a portion of the determined relevant content, and at least a portion of the determined further content for presentation to a user.

Exemplary embodiments consistent with method claim 7 relate to a ***two-step determination*** in which ***(1)*** additional content is ***determined*** using accepted document information, and ***(2)*** further content is ***determined*** using

the determined additional content. Then, ***content of the accepted document, the additional content and the further content are combined for presentation to a user.*** As described in an example in the specification:

> Referring to the short dashed arc in Figure 7, in an alternative embodiment, the best scoring items can be used to help determine relevant ads. For example, given a Web page 710 about theme parks ***[document information]***, a news item 720 from "current news" information sources 730 with a headline such as "Disney to Open Theme Park in Beijing Next Week" may be selected ***[additional content determined using the document information]***. The information selected 720 may be used to help target advertisements 740 to both the selected information and the content of the page:
>
> ***'Buy Tickets to Beijing'***
>
> ***'Buy the book "Theme Parks in China"'***
>
> ***[further content determined using the additional content]*** As the foregoing example illustrates, information from (a) the target content, (b) the additional content, or (c) both can be used to determine content-relevant ads. [Emphasis added.]

(Page 17, line 35 through page 18, line 10 of the present application)

In rejecting claim 7, the Examiner states:

> b) using, by the computer system, at least one of terms, concepts and categories of the document content information to determine relevant content in addition to content of the document, wherein the determined

> relevant content is one of (A) a news story, (B) a review, (C) a search query, and (D) a user group message (column 5, lines 58-63: ***whereas, the computer system uses at least one or more product terms from the content of the ad/product information to determine more relevant product advertising data, by using determined match/query content to retrieve product advertisements from a content/product server***); [Emphasis added.]

(Paper No. 20100311, page 5) The Examiner concedes that the Emens patent does not teach the ***two-step determination*** in which ***both determined content and determined further content are provided together with an input document for presentation to a user***. Specifically, the Examiner states:

> Emens does not expressly teach using the determined relevant content, *determining further content wherein the further determined content is at least one ad, received from an ad server, relevant to the determined relevant content; and* ... including in the combination *at least a portion of the determined further content for presentation to a user.*

(Paper No. 20100311, page 6) However, the Examiner attempts to compensate for this admitted deficiency by citing the Barry reference. Specifically, the Examiner states:

> Yet Barry et al teaches using the determined relevant content, determining further content wherein the further determined content is at least one ad, received from an ad server,

> relevant to the determined relevant content (Fig 15, paragraph 0064: whereas, based upon information of the determined ad, another further ad is selected); and ... including in the combination at least a portion of the determined further content for presentation to a user (Fig 15, paragraph 0064: whereas, the determined content, further determined content, and the content of the page residing at the particular level of content are combined together).

(Paper No. 20100311, page 6) The applicants respectfully disagree.

The applicants do not agree that the Emens patent uses "one or more product terms ***from the content of the ad/product information*** to determine more relevant product advertising data, by using determined match/query content to retrieve product advertisements from a content/product server." As noted above with respect to the rejection of claim 1, the "search result item" in the Emens patent is used as input to determine the "product search results". (See, e.g., column 7, lines 27-36 of the Emens patent.) Thus, the Emens patent does not use product terms ***from the content of the ad/product information*** to determine more relevant product advertising data, but rather uses the "search result items" on the search results page to determine the "product search results." Furthermore, the purported teachings of the Barry publication do not compensate for the deficiencies of the Emens patent discussed above.

Thus, claims 7 and 15 are not rendered obvious by the cited references for at least the foregoing reason.

Since claim 20 depends from claim 7, this claim is similarly not rendered obvious by the cited references.

Claims 2, 10 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Emens patent, in view of the Barry publication, and in further view of Edmunds.com, page 1, January 22, 2001 ("the Edmunds page"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, dependent claims 2 and 17 depend from claim 1 and claim 10 depends from claim 9. The purported teachings of the Edmunds page would not compensate for the deficiencies of the Emens patent and the Barry publication with respect to claims 1 and 9 (discussed above) regardless of whether or not the Edmunds page includes the purported teachings, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claims 2, 10 and 17 are not rendered obvious by the cited references for at least this reason.

Second, the Edmunds page is cited as showing a product review in a right hand side of the page. However, this product review is apparently just a portion of an authored article. That is, based merely on the page printout, the applicants believe that the photo caption is ***not determined using ad information***, but is simply part of an authored article. Thus, these claims are not rendered obvious for at least this additional reason.

Claims 3, 11 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Emens patent, in view of the Barry publication, and in further view of CNET.com, page 1, December 7, 2001 ("the CNET page"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, dependent claims 3 and 18 depend from claim 1 and claim 11 depends from claim 9. The purported teachings of the CNET page would not compensate for the deficiencies of the Emens patent and the Barry publication with respect to claims 1 and 9 (discussed above) regardless of whether or not the CNET page includes the purported teachings, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claims 3, 11 and 18 are not rendered obvious by the cited references for at least this reason.

Second, the CNET page is cited as showing a service review. However, based merely on the page printout, the applicants believe that the service review is ***not determined using ad information***. Thus, these claims are not rendered obvious for at least this additional reason.

Claims 4, 12 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Emens patent, in view of the Barry publication, and in further view of MSN.com, page 1, December 7, 2000 ("the MSN page"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, dependent claims 4 and 19 depend from claim 1 and claim 12 depends from claim 9. The purported teachings of the MSN page would not compensate for the deficiencies of the Emens patent and the Barry publication with respect to claims 1 and 9 (discussed above) regardless of whether or not the MSN page includes the purported teachings, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claims 4, 12 and 19 are not rendered obvious by the cited references for at least this reason.

Second, the MSN page is cited as showing "an ad" for a service (MSN messenger) and news about the service. However, the news is apparently just a portion of an authored document. That is, based merely on the page printout, the applicants believe that the news about MSN messenger was ***not determined using ad information***, but is simply part of an authored article. Thus, these claims are not rendered obvious for at least this additional reason.

Claims 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Emens patent, in view of the Barry publication and in further view of U.S. Patent Application Publication No. 2004/0093558A1 ("the Weaver publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, dependent claim 6 depends from claim 1 and claim 14 depends from claim 9. The purported teachings of the Weaver publication would not compensate for the deficiencies of the Emens patent and the Barry

publication with respect to claims 1 and 9 (discussed above) regardless of whether or not the Weaver publication includes the purported teachings of, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claims 6 and 14 are not rendered obvious by the cited references for at least this reason.

Second, the Weaver publication is cited as showing a message database that stores messages from a user group. However, the Weaver publication concerns "Internet messages from an Internet discussion forum such as a standard e-mail users group, message forum or newsgroup database [which] can be transferred from the first database to a more specialized forum in a second database on a second computer." (Abstract of the Weaver publication) The message is ***not determined from content of the ad as recited***. Consequently, these claims are not rendered obvious for at least this additional reason.

New Claims

New claims 21 and 22 depend from claims 7 and 15, respectively, and further recite that the at least a portion of content of the document, the at least a portion of the determined relevant content, and the at least a portion of the determined further content are combined as part of a single Web page. These claims are supported, for example, by 750, 752, 754 and 756 of Figure 7 and page 16, lines 17-31 of the present application and further clarify the claimed invention.

Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Any arguments made in this amendment pertain ***only*** to the specific aspects of the invention ***claimed***. Any claim amendments or cancellations, and any arguments, are made ***without prejudice to, or disclaimer of***, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicants' remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicants' silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicants that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicants reserve the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

November 17, 2010

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